

111TH CONGRESS
2D SESSION

H. R. 6042

To amend title 38, United States Code, to expand burial benefits for certain homeless veterans.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. KLEIN of Florida (for himself and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand burial benefits for certain homeless veterans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dignity for our Na-
5 tion’s Heroes Act”.

6 **SEC. 2. EXPANSION OF BURIAL BENEFITS FOR VETERANS.**

7 (a) HOMELESS VETERANS.—

8 (1) IN GENERAL.—Chapter 23 of such title is
9 amended by inserting after section 2302 the fol-
10 lowing new section:

1 **“§ 2302A. Funeral expenses for homeless veterans not**
2 **serving during wartime**

3 “(a) PAYMENT OF FUNERAL EXPENSES.—The Sec-
4 retary, in the Secretary’s discretion, having due regard to
5 the circumstances in each case, may pay a sum not exceed-
6 ing the amount authorized under section 2302(a) of this
7 title to such person as the Secretary prescribes to cover
8 the burial and funeral expenses of a deceased veteran de-
9 scribed in subsection (b) and the expense of preparing the
10 body and transporting it to the place of burial.

11 “(b) HOMELESS VETERAN.—A deceased veteran de-
12 scribed in this subsection is an individual—

13 “(1) whom the Secretary determines—

14 “(A) is a homeless veteran (as defined in
15 section 2002(1) of this title);

16 “(B) has no next of kin or other person
17 claiming the body of the deceased veteran; and

18 “(C) does not have available sufficient re-
19 sources to cover burial and funeral expenses;

20 “(2) whose service in the Armed Forces was not
21 during wartime; and

22 “(3) who was either—

23 “(A) discharged from the active military,
24 naval, or air service under honorable conditions;

25 or

1 “(B) died during a period deemed to be ac-
2 tive military, naval, or air service under section
3 106(c) of this title.

4 “(c) DEDUCTIONS.—(1) Except as provided in this
5 subsection, no deduction shall be made from the burial al-
6 lowance because of the veteran’s net assets at the time
7 of the death of such veteran, or because of any contribu-
8 tion from any source toward the burial and funeral ex-
9 penses (including transportation) unless the amount of ex-
10 penses incurred is covered by the amount actually paid
11 therefor by the United States, a State, any agency or polit-
12 ical subdivision of the United States or of a State, or the
13 employer of the deceased veteran.

14 “(2) No claim shall be allowed—

15 “(A) for more than the difference between the
16 entire amount of the expenses incurred and an
17 amount paid by the United States, a State, any
18 agency or political subdivision of the United States
19 or of a State, or the employer of the deceased vet-
20 eran, as described in paragraph (1);

21 “(B) when the burial allowance would revert to
22 the funds of a public or private organization or
23 would discharge such an organization’s obligation
24 without payment; or

1 “(C) in any case where payment of expenses of
2 funeral, transportation, and interment for the vet-
3 eran is made under any other Act.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of such chapter is amended
6 by inserting after the item relating to section 2302
7 the following new item:

 “2302A. Funeral expenses for homeless veterans not serving during wartime.”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a)(1) shall apply to deaths occurring on or
10 after the date of the enactment of this Act.

○